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Item No. 150

TOWN OF LAUDERDALE-BY-THE-SEA

AGENDA ITEM REQUEST FORM

Broward Sheriff's Office

Department Submitting Request

Chief Oscar Llerena

Dept Head's Signature

<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>
<input type="checkbox"/> Nov 10, 2009	Oct 30 (5:00 p.m.)	<input type="checkbox"/> Jan 26, 2010	Jan 15 (5:00 p.m.)	<input type="checkbox"/> March 23, 2010	Mar 12 (5:00 p.m.)
<input type="checkbox"/> Dec 1, 2009	Nov 20 (5:00 p.m.)	<input type="checkbox"/> Feb 9, 2010	Jan 29 (5:00 p.m.)	<input type="checkbox"/> April 13, 2010	April 2 (5:00p.m.)
<input type="checkbox"/> Dec 8, 2009	Nov 25 (5:00 p.m.)	<input type="checkbox"/> Feb 23, 2010	Feb 12 (5:00 p.m.)	<input type="checkbox"/> April 27, 2010	April 16 (5:00p.m.)
<input checked="" type="checkbox"/> Jan 12, 2010	Dec 31 (5:00 p.m.)	<input type="checkbox"/> Mar 9, 2010	Feb 26 (5:00p.m.)	<input type="checkbox"/> May 11, 2010	April 30 (5:00p.m.)

NATURE OF AGENDA ITEM

- | | | |
|---|---|--|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Resolution | <input type="checkbox"/> New Business |
| <input type="checkbox"/> Report | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Manager's Report |
| <input type="checkbox"/> Consent Agenda | <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Attorney's Report |
| <input type="checkbox"/> Bids | <input type="checkbox"/> Old Business | <input checked="" type="checkbox"/> Other |

EXPLANATION: Amendment to the current BSO contract

STAFF RECOMMENDATION: N/A

BOARD/COMMITTEE RECOMMENDATION: N/A

FISCAL IMPACT AND APPROPRIATION OF FUNDS: N/A

- | | |
|--|--|
| <input type="checkbox"/> Amount \$ _____ | <input type="checkbox"/> Acct # _____ |
| <input type="checkbox"/> Transfer of funds | |
| <input type="checkbox"/> required | <input type="checkbox"/> From Acct # _____ |
| <input type="checkbox"/> Bid | <input type="checkbox"/> Grant <input type="checkbox"/> Amount represents matching funds |

This item was deferred at the January 12, 2009 Commission Mtg by Commissioner Silverstone

Town Attorney review required

☒ Yes ☐ No

Town Manager's Initials: OL




Pride in Service with Integrity

INTERNAL MEMO

Date: December 16, 2009

To: Town Manager Esther Colon
Lauderdale-by-the-Sea

From: Chief Oscar Llerena 
Broward Sheriff's Office
Lauderdale-by-the-Sea District

Subj: **Commission Agenda Request - New Shift Scheduling Directive**

All BSO district chiefs recently received a directive to prepare their district shift schedules for transition to the "Pompano Model" of 12-hour shifts. Our current contract for law enforcement services with the Town has language that conflicts with this directive. A contract amendment is required prior to implementing this new schedule. I am requesting that you place this issue on the Commission's agenda for the January 12, 2009 meeting for resolution. BSO Legal Affairs has drafted a 4th amendment to the current contract which reflects proposed language to allow us to make the transition.

Section 1.1.13 of the current contract defines "Shift" as service provided on an eight (8) hour basis. Section 2.4 states that BSO will provide the Town with eleven (11) patrol units during a twenty-four hour period. The proposed shift scheduling will conflict with these sections of the current contract.

In order to comply with the directive, the contract language would have to be modified to define "Shift" as service on a twelve (12) hour basis, or simply deleted altogether. Section 2.4 would have to be modified to state that BSO will provide the Town with seven (7) patrol units during a twenty-four hour period. This amended language is based on the fact that six (6) deputies following a 12-hour schedule perform the same amount of patrol as nine (9) deputies following an 8-hour schedule. It would take six deputies to staff three patrol zones for a 24-hour period rather than nine deputies working on an 8-hour schedule.

I will ensure that the Broward Sheriff's Office maintains the highest standards of professionalism and ensure that the law enforcement needs of the Town's residents are met.

Please contact me if you require additional information.

RECOMMENDED SAMPLE ADDENDUM

FOURTH ADDENDUM
TO
LAW ENFORCEMENT SERVICE AGREEMENT
BY AND BETWEEN
THE TOWN OF LAUDERDALE-BY-THE-SEA
AND
THE SHERIFF OF BROWARD COUNTY

THIS FOURTH ADDENDUM is made and entered into this _____ day of _____, 2009 by and between the Town of Lauderdale-By-The-Sea, a municipal corporation organized and existing under the laws of the State of Florida, which municipality is fully located within the boundaries of Broward County, Florida (hereinafter referred to as "TOWN") and the Sheriff of Broward County, Florida (hereinafter referred to as "SHERIFF").

WITNESSETH:

WHEREAS, in March 2001, the TOWN contracted with the SHERIFF to provide law enforcement services to the TOWN; and

WHEREAS, on or about January 30, 2003, the parties entered into a First Addendum, which added one (1) Sergeant to the staffing structure; and

WHEREAS, the parties subsequently entered into a Second Addendum, which extended the term through September 30, 2011; and

WHEREAS, on or about September 9, 2008, the parties entered into a Third Addendum to recognize the deletion of one (1) Sergeant from the staffing structure as of December 1, 2007 and the removal of the attrition factor as of June 1, 2008; and

WHEREAS, the March 2001 agreement, First Addendum, Second Addendum and Third Addendum are hereinafter collectively referred to as the "Agreement"; and

WHEREAS, the parties are now desirous of amending the Agreement to recognize the SHERIFF's change from an eight (8) hour shift to a twelve (12) hour shift.

NOW THEREFORE, in consideration of the sums hereinafter set forth and for other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, it is agreed as follows:

1. The above recitals are true and correct and are incorporated herein.
2. Section 1.1.13 shall be amended in its entirety to read as follows:

Shift shall mean and include service provided on a twelve (12) hour basis (except supervisors may be assigned as needed). Unless revised by

mutual agreement of the parties, the commencement hour of any shift shall be determined and established from time to time by BSO.

3. Section 2.4 shall be amended in its entirety to read as follows:

Utilizing the staffing structure as provided in Section 2.2 above, BSO will provide the TOWN with a total of seven (7) Patrol Units during a twenty-four (24) hour period excluding supervisory personnel. The Lauderdale-By-The-Sea District Office reception area shall be open seven (7) days per week, fourteen (14) hours per day.

4. Except as herein amended, all other provisions of the Agreement shall remain in full force and effect.

(Intentionally Left Blank)

**FOURTH ADDENDUM TO LAW ENFORCEMENT SERVICE AGREEMENT BY AND
BETWEEN THE TOWN OF LAUDERDALE-BY-THE-SEA AND THE SHERIFF OF
BROWARD COUNTY.**

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be
executed the date(s) indicated below:

THE SHERIFF OF BROWARD COUNTY

Al Lamberti, Sheriff

Date: _____

Approved as to form and legal sufficiency
subject to execution by the parties:

By: _____
Judith Levine
General Counsel

Date: _____

ROSEANN MINNET, AS MAYOR OF THE TOWN OF LAUDERDALE-BY-THE-SEA

Roseann Minnet
Mayor

Date: _____

Esther Colon,
Town Manager

Date: _____

Approved as to form and legal sufficiency
subject to execution by the parties:

Town Attorney

Date: _____


Town of Lauderdale-by-the-Sea

OFFICE OF THE TOWN MANAGER

Memorandum

Date: January 12, 2010

To: Mayor Roseann Minnet
Vice Mayor Jerry McIntee
Commissioner Stuart Dodd
Commissioner Birute Clotey
Commissioner Jim Silverstone

From: Esther Colon, Town Manager 

Subject: BSO/Weston Addendum

Attached is a sample BSO/Weston addendum that I recommend the Commission consider in relation to Item #16-E New Business on the January 12, 2010 agenda considering our staffing structure.

Thank you.

EC/mi

Cc: John Olinzock, Assistant Town Manager
June White, Town Clerk ✓
Chief Oscar Llerena

THIRD ADDENDUM TO
AGREEMENT
AMONG
THE SHERIFF OF BROWARD COUNTY, FLORIDA
THE CITY OF WESTON, FLORIDA
INDIAN TRACE DEVELOPMENT DISTRICT
AND
BONAVENTURE DEVELOPMENT DISTRICT
FOR
POLICE SERVICES

This Third Addendum to the Agreement for Police Services is made and entered into this 23rd day of October, 2009, among the SHERIFF OF BROWARD COUNTY, FLORIDA (hereinafter referred to as the "SHERIFF"), the CITY OF WESTON, FLORIDA, a municipal corporation of the State of Florida (hereinafter referred to as "WESTON"), INDIAN TRACE DEVELOPMENT DISTRICT (hereinafter referred to as "ITDD") and BONAVENTURE DEVELOPMENT DISTRICT (hereinafter referred to as "BDD") (collectively referred to as the "CITY").

WHEREAS, on November 19, 2007, the City approved the Agreement with the SHERIFF for Police Services (the "Agreement"); and

WHEREAS, on September 15, 2008, the City approved the First Addendum with the SHERIFF for Police Services (the "First Addendum"); and

WHEREAS, on September 21, 2009, the City approved the Second Addendum with the SHERIFF for Police Services (the "Second Addendum"); and

WHEREAS, the CITY and SHERIFF desire to amend the Agreement to revise the minimum staffing provision; and

WHEREAS, the SHERIFF and the CITY have determined that it is mutually beneficial and in the best interests of the public to enter into this Third Addendum to the Agreement (the "Third Addendum").

THIRD ADDENDUM TO AGREEMENT AMONG THE SHERIFF OF BROWARD COUNTY, FLORIDA,
THE CITY OF WESTON, FLORIDA, INDIAN TRACE DEVELOPMENT DISTRICT AND
BONAVENTURE DEVELOPMENT DISTRICT
FOR POLICE SERVICES.

NOW THEREFORE, in consideration of the mutual covenants, promises, terms and conditions set forth herein, the SHERIFF and the CITY do hereby agree as follows:

1. The above recitals are true and correct and are incorporated herein as set forth in full hereunder.
2. Article 2, General Operating Conditions, shall be amended as follows:

* * *

2.3.2 Utilizing the staffing structure as provided in Section 2.3 above, the District Chief will provide the CITY with a minimum of nine (9) sworn personnel, consisting of 8 uniformed deputies and 1 uniformed sergeant ~~during each eight (8) hour period~~ on duty at all times, excluding sworn administrative and specialty unit personnel, which are in addition to the foregoing. The scheduling of the shifts shall be jointly determined by the City Manager and SHERIFF. CITY acknowledges and agrees to the SHERIFF's current staffing levels including an attrition factor of 3.5% from the effective date of this contract through the term of this contract. Sworn personnel assigned to specialized functions will be scheduled at the discretion of the District Chief in consultation with the City Manager in order to achieve maximum effectiveness.

3. This Third Addendum shall become effective upon execution by the parties.
4. Except as herein amended, all other provisions of the Agreement shall remain in full force and effect.

THIRD ADDENDUM TO AGREEMENT AMONG THE SHERIFF OF BROWARD COUNTY,
FLORIDA, THE CITY OF WESTON, FLORIDA, INDIAN TRACE DEVELOPMENT DISTRICT AND
BONAVENTURE DEVELOPMENT DISTRICT FOR POLICE SERVICES.

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective
dates under each signature: the SHERIFF, through Al Lamberti, Sheriff of Broward County, and the
CITY OF WESTON, signing by and through its Mayor, duly authorized to execute same.

ATTEST:

Patricia A. Bates
Patricia A. Bates, CMC, City Clerk

Approved as to form and legality
for the use of and reliance by the
City of Weston only:

By: Jamie Alan Cole
Jamie Alan Cole, City Attorney
2^{1ST} day of October, 2009

CITY OF WESTON
INDIAN TRACE DEVELOPMENT DISTRICT
BONAVENTURE DEVELOPMENT DISTRICT

By: Eric M. Hersh
Eric M. Hersh, Mayor

23RD day of October, 2009

By: John R. Flint
John R. Flint, City Manager

23RD day of October, 2009

(CITY SEAL)

SHERIFF OF BROWARD COUNTY, FLORIDA

By: Al Lamberti
Al Lamberti, Sheriff

7TH day of OCTOBER, 2009

Approved as to form:

By: Judith Levine
Judith Levine, General Counsel
7TH day of OCT, 2009

Karen Gates

From: Karen Gates
Sent: Thursday, December 31, 2009 12:47 PM
To: 'Susan L. Trevarthen'
Subject: January 12, 2010 Agenda Item

Attachments: January 12, 2010 Agenda Item.pdf



January 12, 2010
Agenda Item.p...

Susan,

Please see the attached agenda item for your review.

Thank You

Nikki Smith
Deputy Clerk